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*House Meets at 10:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

**H.J. Res. 73—FY 2000 Continuing Resolution**  
**H.R. 3064—FY 2000 District of Columbia Appropriations Act**  
**(Conference Report)**



**H.J. Res. 73—FY 2000 Continuing Resolution**

**Floor Situation:** The House will consider H.J. Res. 73 as its first order of business today. Yesterday, the House agreed to a unanimous consent request to provide one hour of debate, equally divided between the chairman and ranking member of the Appropriations Committee, and waive all points of order against the resolution and its consideration.

**Summary:** H.J. Res. 73 provides temporary funding—beginning October 30, 1999 and lasting until either November 5 or when the relevant appropriations bill is signed into law, whichever comes first—for federal programs for which the president has not signed a regular appropriations bill. The continuing resolution funds ongoing projects at current FY 1999 levels. It imposes currently existing terms and conditions on funding, prohibits any new projects or initiatives, and restricts high initial year funding distributions to states, foreign countries, or federal grantees. Recently, the House passed—and the president signed—an extension (H.J. Res. 71) to fund the government through October 29, 1999. The joint resolution contains language to guarantee that certain mandatory payments (*e.g.*, Social Security checks) due on November 1 continue to be made.

The joint resolution also includes a number of special provisions for the duration of the continuing resolution, such as:

- \* restricting disbursements for contributions to international organizations;
- \* extending the authority for several programs such as (1) Radio Free Asia, (2) the Overseas Private Investment Corporation, and (3) the federal flood insurance program;

- \* restricting initial obligations for most major activities of the District of Columbia;
- \* allowing agencies to spend funding to continue fixing the Year 2000 computer problem;
- \* allowing increased obligations for census activities;
- \* continuing the FY 1999 funding level for accounts funded under the FY 1999 Commerce/Justice/State appropriations bill that will change in the FY 2000 measure because of State Department reorganization; and
- \* continuing the authority of the Export-Import Bank to meet in the absence of a quorum.

A CBO cost estimate was unavailable at press time. H.J. Res. 73 was introduced by Mr. Young (FL) on October 27.

**Views:** The Republican Leadership supports passage of the measure. An official Clinton Administration viewpoint was unavailable at press time. However, press reports have indicated that he will sign another extension.



## **H.R. 3064—FY 2000 District of Columbia Appropriations Act (Conference Report)**

**Floor Situation:** The House will consider the conference report to H.R. 3064 after it finishes considering H.J. Res. 73. Conference reports are privileged and may be considered any time three days after they are filed. Yesterday, the Rules Committee granted a rule that provides two hours of general debate, waiving all points of order against the conference report and its consideration. House rules provide one motion to recommit, with or without instructions.

### **Summary:**

#### *— District of Columbia Appropriations —*

The conference report to H.R. 3064 appropriates \$429 million to fund the operation of the Nation's Capital, the District of Columbia (D.C.) correctional activities, and D.C. courts. This amount is \$35 million more than the president's request and \$255 million less than the FY 1999 level (included in the FY 1999 appropriations bill was \$64 million in emergency funding for Y2K conversion). Of this amount, the bill provides (1) \$176 million for Corrections Trustee operations (\$7 million less than the House-passed of H.R. 2587); (2) \$99.7 million for operating city courts (\$1 million less than H.R. 2587); and (3) \$17 million for the D.C. Resident Tuition Support program (equal to level in H.R. 2587). Finally, the measure approves the \$6.8 billion District budget, which is \$7.4 million less than H.R. 2587 and \$11.7 million less than the FY 1999 level. The District budget funds all aspects of the city's operation including public education and safety, human support services, and enterprise funds. Funding for the District includes \$1.4 billion for a six-year capital outlay program.

The measure also:

- \* caps city council members' salaries at \$84,635;
- \* continues to prohibit the use of District or federal funds for a needle exchange program (however, it does not prohibit private individuals and entities from funding such programs);
- \* caps the hourly rate of compensation at \$50 for attorneys who represent a party in litigation brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act, unless attorneys enter into a memo of understanding with the mayor, Control Board, and Superintendent of the D.C. public schools;
- \* allows the D.C. Corporation Council to review and comment on legal briefs related to lawsuits for District voting representation;
- \* permits cell towers to be erected in Rock Creek Park;
- \* allows charter schools access to funds for building and repairing elementary and secondary schools, and allows preference for siblings of charter schools in the admissions process;
- \* prohibits any funding from being used to legalize or reduce penalties for possessing, using, or distributing any Schedule 1 substance under the Controlled Substance Act or any tetrahydrocannabinol derivative (*e.g.*, marijuana);
- \* provides \$5 million to create incentives to adopt children in the District's foster care system (\$3.5 million less than H.R. 2587);
- \* provides \$33.3 million for a new appropriation account for attorney programs for indigent defendants, child abuse cases, and guardianship cases administered by District courts;
- \* provides \$150 million for a budget reserve, as required by the FY 1999 D.C. Appropriations Act (*P.L. 105-277*), to prevent the District from running a budget deficit. The bill also requires the District to maintain a budget surplus of not less than four percent and allows any budget surplus in excess of four percent to be used for debt reduction and non-recurring expenses;
- \* continues to prohibit the use of any federal or District-raised funding to provide abortions, except in the case of rape, incest, or danger to the mother's life;
- \* retains current law to prohibit any federal or District funds to implement programs that extend the same rights designated for married couples to cohabiting unmarried couples—such as domestic partners;
- \* requires the District to terminate leases on property that the D.C. government does not occupy. The bill also requires the mayor and city council to certify that other District owned/leased property is not available before the District can enter into a lease; and

- \* ratifies the Tax Parity Act passed by the D.C. City Council. This local measure provides \$59 million in tax relief for D.C. residents.

*— FY 2000 Labor/HHS/Education Appropriations —*

The conference report also provides \$84.6 billion in discretionary spending (after scorekeeping adjustments)—\$1 billion more than last year, \$7 billion less than the president's request, and \$7.6 billion more than the committee-passed bill—for the Departments of Labor, Health and Human Services (HHS), Education, and a wide range of related agencies. Including mandatory spending (the amount over which the Appropriations Committee does not have jurisdiction) and advances, the bill provides \$326.8 billion, \$25.6 billion more than last year, \$3.8 billion more than the president's request, and \$8.5 billion more than the House-reported bill.

**Department of Labor.** For the Department of Labor (DOL), the bill appropriates a total of \$13.1 billion for a number of employment-related programs, including unemployment insurance, worker safety, and job training. This amount is \$339.1 million more than the FY 1999 level, \$400 million less than the president's request, and \$1.2 billion more than the House-reported measure. Specific appropriations for the Labor Department include:

- \* \$5.4 billion to carry out provisions of the Job Training Partnership Act, \$247.7 million more than the FY 1999 level and \$831.6 million more than the House measure;
- \* \$370 million for the Occupational Safety and Health Administration (OSHA; \$15.6 million more than last year and \$32.6 million more than the House-reported bill);
- \* \$409.4 million (\$10.6 million more than last year and \$14.7 million more than the House bill) for the Bureau of Labor Statistics; and
- \* \$1 billion for the Black Lung Disability Trust Fund (\$7.4 million less than in FY 1999 and \$367,000 more than the House-reported measure).

**Department of Health & Human Services.** The largest amount appropriated in the bill funds programs of the Department of Health and Human Services (HHS). The bill provides about \$238.6 billion for HHS, nearly 85 percent of which supports mandatory entitlement programs such as Medicare, Medicaid, and family support services. The amount is \$23.5 billion more than in FY 1999, \$4 billion more than the president's request, and \$6 billion more than the House-reported measure. Other HHS funding supports the nation's primary health and welfare discretionary initiatives, including programs such as:

- \* the low income home energy assistance program (LIHEAP), which receives \$1.4 billion (the same as both last year and the House measure);
- \* family support payments to states, funded at \$3.3 billion (\$243.2 million more than last year and \$2.5 billion more than the House-reported bill);
- \* the National Institutes of Health (NIH), which receives \$17.9 billion (\$2.3 billion more than in FY 1999 and \$978.2 million more than the House-reported bill);

- \* the Centers for Disease Control and Prevention (CDC), which receives \$2.8 billion (\$78.6 million more than last year and \$177.4 million more than the House measure); and
- \* the Health Resources and Services Administration, which receives \$5 billion (\$212.5 million more than in FY 1999 and \$225 million more than the House bill). This account includes \$1.6 billion for Ryan White AIDS programs.

**Department of Education.** The measure provides a total of \$37.4 billion for FY 2000 for the Department of Education, \$1.8 billion more than last year, \$300 million more than the president's request, and \$1.7 billion more than the House-reported bill. Specific appropriations include:

- \* \$6 billion for special education programs (\$912 million more than last year and \$203.5 million more than the House-reported measure);
- \* \$7.7 billion for the Pell grant program (\$4 million less than in FY 1999 and \$80 million more than the House-reported bill);
- \* \$8.5 billion for education for the disadvantaged (\$121.1 million more than last year and \$130.1 million more than the House-reported measure);
- \* \$910.5 million for Impact Aid (\$46.5 million more than in FY 1999 and \$3.3 million more than the House measure); and
- \* \$387 million for bilingual and immigrant education (\$7 million more than both last year and the House-reported bill).

In addition, the measure raises the maximum Pell Grant award to \$3,300, \$175 more than in FY 1999 and \$50 more than the president's request.

**Related Agencies.** The conference report appropriates a total of \$37.9 billion for related agencies, including the Social Security Administration, the Corporation for Public Broadcasting (CPB), and the National Labor Relations Board (NLRB). This amount is \$140.5 million more than FY 1999 levels, \$100 million less than the president's request, and \$183 million more than the House-reported measure. Specific appropriations include:

- \* \$36.4 billion for the Social Security Administration, \$163.9 million more than last year and \$109 million more than the House bill;
- \* \$360 million—\$10 million more than both FY 1999 and the House measure—for the Corporation for Public Broadcasting; and
- \* \$164 million for the dual benefits payments account of the Railroad Retirement Board, \$14 million less than in FY 1999 and \$1 million less than the House-reported bill.

**Legislative Provisions.** The measure contains a number of significant legislative provisions, including the following:

- \* **Family Planning Clinics.** The measure requires clinics to comply with state laws requiring notification of sexual abuse, rape, incest, or other crimes.
- \* **Abortion.** The conference report prohibits any funding from being used to pay for an abortion, except in cases of rape, incest, or if the life of the mother is in danger. Additionally, the bill stipulates that Medicare+Choice plans are not required to provide abortion services.
- \* **Organ Transplantation.** The measure delays the implementation of HHS regulations that change the allocation methodology for human organs for three months after enactment. These new guidelines were developed because of concerns that the organ allocation process has been dominated by certain regions in the country.

The conference report does not amend the 1986 Internal Revenue Code to terminate lump-sum payments of the earned income tax credit (EITC). The House-reported measure proposed paying out the sum on a monthly basis, which would have pushed some of the payments into the next fiscal year and save the government an estimated \$8.7 billion.

#### — *Discretionary Spending Offsets* —

The measure includes a series of discretionary spending offsets, for a total of \$4.3 billion in savings. The offsets include:

- \* a 0.97 percent across-the-board cut in the discretionary accounts of all 13 appropriations bills, for savings of \$5.68 billion in budget authority and \$3.45 billion in outlays. This reduction also applies to congressional member salaries, reducing their FY 2000 cost-of-living increase by approximately \$1,400. The measure does not specify which accounts must be cut, but allows federal agencies the discretion to determine the spending reductions;
- \* \$121 million from unobligated funding for salaries and expenses of the Labor, HHS, and Education Departments; and
- \* \$876 million in savings by allowing the Education Department to use data collected by the HHS Department to locate students who default on government-backed student loans. Currently, the data is used only to locate absent fathers who owe child support.

**Views:** The Republican leadership supports passage of the bill. An official Clinton Administration view was unavailable at press time. Unofficially, however, press reports indicate that the president will veto the measure.

**Additional Information:** See *Legislative Digest*, Vol. XXVIII, #31, Pt. III, October 27, 1999. For information on D.C. appropriations measures as they were debated in the House, see *Legislative Digest*, #29, Pt. III, October 13, 1999; #24, September 3, 1999; and #22, July 23, 1999. For information on the Labor/HHS/Education bill (H.R. 3037) as it was reported by the Appropriations Committee, see *Legislative Digest*, Vol. XXVIII, #29, October 8, 1999.

